

**Senate File 368 - Introduced**

SENATE FILE 368

BY ZAUN

**A BILL FOR**

1 An Act relating to the work without worry program for employed  
2 individuals with disabilities under the Medicaid program.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. WORK WITHOUT WORRY PROGRAM — MEDICAID FOR  
2 EMPLOYED INDIVIDUALS WITH DISABILITIES.

3 1. The department of health and human services shall submit  
4 any waiver request or state plan amendment, or combination  
5 thereof, to the centers for Medicare and Medicaid services of  
6 the United States department of health and human services as  
7 necessary to create a work without worry program for employed  
8 individuals with disabilities in accordance with this section.

9 2. The program shall provide Medicaid coverage based on the  
10 following criteria:

11 a. The individual has a qualifying disability as determined  
12 by the social security administration or the individual is  
13 determined by the department of health and human services  
14 to have a physical or mental impairment or combination of  
15 impairments that have lasted or are expected to last for  
16 at least twelve months or result in death. An individual  
17 shall not be required to receive federal disability benefits  
18 to participate in the program. An individual who receives  
19 supplemental security income shall be automatically eligible  
20 for coverage under the program and shall not be required to  
21 submit a separate application for the program.

22 b. The individual is sixteen years of age or older.

23 c. The individual is employed and has earned income  
24 from employment including self-employment. The employment  
25 requirement shall not be limited by the number of hours or  
26 amount of income, but the individual shall verify employment  
27 through evidence of pay stubs or a self-employment ledger.  
28 The program shall allow for continuation of coverage for a  
29 participating individual for six months following loss of  
30 employment if there is an intent on the part of the individual  
31 to return to employment.

32 d. The individual is not subject to any resource or asset  
33 test or limit under the program, with the exception of the  
34 following:

35 (1) Any vehicle owned by the individual that is not

1 adapted for the individual, used primarily by or for the  
2 individual, and used for transporting the individual to medical  
3 appointments.

4 (2) The primary residence owned and occupied by the  
5 individual if the assessed value of the residence exceeds four  
6 hundred thousand dollars.

7 e. The individual's income is below four hundred fifty  
8 percent of the federal poverty level. Income is based only on  
9 the individual's net earned and unearned income as a household  
10 of one as that income is adjusted by the following deductions  
11 or disregards:

12 (1) A twenty dollar general disregard from unearned income  
13 that is not from employment.

14 (2) A disregard of sixty-five dollars plus one-half of the  
15 individual's earned income from employment.

16 (3) A deduction of impairment-related work expenses.

17 (4) A deduction of work expenses for the blind.

18 f. An individual shall have access to all traditional  
19 Medicaid services under the Medicaid state plan as well as  
20 additional long-term services and supports and community-based  
21 services, including waiver services, for which the individual  
22 meets any applicable level of care requirements.

23 g. An individual may be eligible for or receive other health  
24 care coverage including through an employer, through Medicare,  
25 or through the medically needy program, the qualified Medicare  
26 beneficiary program, or the specified low-income Medicare  
27 beneficiary program. If the individual has such other coverage  
28 and is subject to payment of copayments or premiums for that  
29 coverage, notwithstanding the premium requirements under the  
30 program to the contrary, the individual shall not be subject to  
31 payment of premiums otherwise applicable under the program.

32 h. An individual with income at or above one hundred fifty  
33 percent of the federal poverty level shall be subject to  
34 payment of a premium not to exceed the limits established under  
35 federal guidelines.

1 i. The program shall also provide that any individual  
2 participating in the Medicaid for employed persons with  
3 disabilities program when the work without worry program is  
4 implemented shall be transferred to and enrolled in the work  
5 without worry program.

6 3. The department of health and human services shall  
7 implement a work without worry public awareness campaign to  
8 ensure that consumer information and educational resources are  
9 accessible to individuals with disabilities and the public.  
10 The department shall also provide technical assistance to  
11 individuals with disabilities in determining if the work  
12 without worry program is the best option for coverage under  
13 that individual's particular circumstances and in applying for  
14 and maintaining participation in the program.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18 This bill creates the work without worry program for  
19 employed individuals with disabilities 16 years of age and  
20 older under the Medicaid program.

21 The bill directs the department of health and human services  
22 (HHS) to submit any waiver request or state plan amendment, or  
23 combination thereof, to the centers for Medicare and Medicaid  
24 services of the United States department of health and human  
25 services as necessary to create a work without worry program  
26 for employed individuals with disabilities in accordance with  
27 the bill.

28 Criteria for coverage under the program include that  
29 the individual has a qualifying disability and although an  
30 individual is not required to receive federal disability  
31 benefits to participate in the program, an individual who  
32 receives supplemental security income shall be automatically  
33 eligible for coverage under the program; the individual is  
34 16 years of age or older; the individual is employed and  
35 has earned income from employment including self-employment;

1 the individual is not subject to any resource or asset test  
2 or limit under the program with the exception of nonadapted  
3 vehicles and a primary residence for which the assessed  
4 value exceeds \$400,000; the individual's income is below 450  
5 percent of the federal poverty level as adjusted by specified  
6 deductions or disregards; the individual has access to all  
7 traditional Medicaid services as well as additional long-term  
8 services and supports and community-based services; the  
9 individual may be eligible for or receive other coverage  
10 including through an employer, through Medicare, through the  
11 medically needy program, the qualified Medicare beneficiary  
12 program, or the specified low-income Medicare beneficiary  
13 program, and is not subject to otherwise applicable premiums  
14 if the individual is subject to copayments or premiums for  
15 the other coverage; the individual with income at or above  
16 150 percent of the federal poverty level shall be subject to  
17 payment of a premium not to exceed the limits established  
18 under federal guidelines; and the program shall provide that  
19 any individual participating in the Medicaid for employed  
20 persons with disabilities program at the time the work without  
21 worry program is implemented shall be transferred to and  
22 enrolled in the work without worry program. The bill also  
23 requires HHS to implement a work without worry public awareness  
24 campaign to ensure that consumer information and educational  
25 resources are accessible to individuals with disabilities and  
26 the public, and to provide technical assistance to individuals  
27 with disabilities in determining if the work without worry  
28 program is the best option for coverage under the individual's  
29 particular circumstances and in applying for and maintaining  
30 participation in the program.